

SECRET/EXDIS

SALT TWO
SESSION I
A-102

MEMORANDUM OF CONVERSATION
U.S. SALT DELEGATION
GENEVA, SWITZERLAND

DATE: December 18, 1972

TIME: 11:10 - 11:50 a.m.

PLACE: U.S. Mission, Geneva

SUBJECT: Standing Consultative Commission

PARTICIPANTS: US

USSR

Mr. Sidney N. Graybeal

Mr. John P. Shaw

Mr. V. V. Smolin

Mr. E. N. Kochetkov, Interpreter

Regarding the compromise "Draft Regulations" agreed to ad referendum Saturday evening, Graybeal said he had consulted with his Delegates and had encountered some difficulty regarding the compromise with respect to our instructions on the Regulations. (In this connection, he referred to the Talking Points introduced by him last Saturday.) However, the Delegates decided that with the acceptance of the package overall, they would request authority from Washington to initial the Joint Draft Text.

Smolin said that he was not so lucky in his consultations. There is agreement on the Memorandum of Understanding, but regarding the Regulations his Delegates did not agree to the package. They felt that there is no need to include in the Regulations reference to the "Joint Draft Text" and the "ad referendum" footnote. All of these were subsumed in the title. He was further instructed to repeat what was suggested earlier, that the Soviet Delegation would accept Paragraph 8 provided the U.S. accepts the title, drops the reference to Joint Draft Text, etc., and agrees to initialing.

Graybeal and Shaw declined to accept this proposition. Graybeal said that if there was any hope of initialing the document this must be done on the condition that the references to the Joint Draft Text and "ad referendum" be retained as well as the agreement on Paragraph 8. Under these conditions, his Delegates would also accept the Soviet title. We must retain the package unless the Soviets are willing to forego initialing. The title and the format agreed to ad referendum on Saturday serves mutual purposes.

Smolin repeated the argument that the title was enough by itself. The references to "basic" and "draft" indicated the preliminary status

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of the document. Initialing, rather than signing, also indicates preliminary status. Finally, the Soviet side agreed that the final agreement on Regulations will take place within the SCC.

Graybeal stated that his interpretation was quite different. Specifically the "title" indicates what the document contains, whereas the "Joint Draft Text" and "agreed ad referendum by Delegations" indicate the status of the document. It is essential that this distinction be maintained. Therefore, he was unable to agree with Smolin's interpretation or with his proposal. Graybeal said his instructions on this point were clear and he had no latitude for negotiation.

After some give and take between Smolin and the U.S. participants, with neither side changing its position, Smolin asked whether the participants should report to their respective Delegations or try to further reduce the problems to a minimum.

Graybeal said that the U.S. participants had no latitude and suggested that reports be made to Delegations.

Smolin said he had had no time this morning to present to his Delegates other changes in the Regulations, namely those in Paragraphs 1 and 7.

Graybeal said that, if the package is accepted the U.S. side would agree to put back the words which had been deleted in Paragraph 1, and delete the U.S. addition to Paragraph 7.

There followed a discussion between Graybeal and Smolin on the de marche to Bern. There was agreement between them as to what their respective Ambassadors in Bern would tell the Swiss. The approaches could be made either in parallel or simultaneously, depending on what had been the past procedure, so long as the substance was the same. Graybeal called attention to the short time remaining and suggested that he and Smolin ask their respective Ambassadors to make a tentative approach to the Swiss either today or tomorrow. Smolin did not object.

Graybeal said that his Delegates had decided against a public signing ceremony of the Memorandum of Understanding. Signing will be done at the last plenary session on Wednesday or Thursday, and the text will be released to the press, along with the Communique at an agreed time.

The participants tentatively agreed to meet this afternoon at a time to be set after consultation with Delegations.

Following the meeting, Shaw half jokingly suggested that in view of the apparent impasse regarding the format of the Regulations, on which the U.S. had no flexibility, that the best solution perhaps would be to sign the Memorandum of Understanding and to set aside the Draft Regulations. In their present form they could be used as informal guidelines by each side. Smolin, as expected, cited the Soviet argument that the Soviet side regarded the two documents as "closely connected."

SALDEL: JPSHaw: SNGraybeal: wl:bjg

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